REMARKS

The present application was filed on February 8, 2000 with claims 1-25. Claims 1, 13 and 25 are independent claims. In the outstanding Office Action, the Examiner: (i) rejected claims 1-6, 8-10, 12-18 and 20-25 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,838,906 to Doyle et al. (hereinafter "Doyle"); and (ii) rejected claims 7, 11, 19 and 23 under 35 U.S.C. §103(a) as being unpatentable over Doyle in view of U.S. Patent No. 6,170,019 to Dresel et al. (hereinafter "Dresel").

In this response, Applicants respectfully traverse the various §102(b) and §103(a) rejections of claims 1-25.

Regarding the §102(b) rejection of claims 1-6, 8-10, 12-18 and 20-25, the Office Action contends that Doyle discloses all of the claim limitations recited in the subject claims. Applicants respectfully assert that Doyle fails to teach or suggest all of the limitations in claims 1-6, 8-10, 12-18 and 20-25, for at least the reasons presented below.

It is well-established law that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Applicants assert that the rejection based on Doyle does not meet this basic legal requirement, as will be explained below.

The claimed invention, as recited for example in independent claim 1, provides a method for use in a client/server system of reducing interactions between a client and server in association with an application being accessed by the client at the server. The method comprises the steps of: configuring the server to store a model associated with the application and to maintain view-generating and controller logic associated with the application; and configuring the client to store at least a subset of the model associated with the application and to maintain at least a subset of the view-generating and controller logic associated with the application, wherein one or more portions of the application are performed at the client without the client having to interact with the server. Independent claims 13 and 25 recite similar limitations.

As explained at page 3, line 22-27, of the present specification: "[t]he invention addresses performance by employing a dual-MVC approach, in which a subset of the application's Model-View-Controller reside on the client, and the full Model-View-Controller and View-Generating-Logic reside on the server, thereby reducing the number of required server interactions." FIG. 3 of the present application illustrates such an inventive dual-MVC approach.

Thus, the claimed invention recites that the server "store[s] a model associated with the application and maintain[s] view-generating and controller logic associated with the application," and the client "store[s] at least a subset of the model associated with the application and maintain[s] at least a subset of the view-generating and controller logic associated with the application."

While Doyle discloses a system allowing a user of a browser program on a computer connected to an open distributed hypermedia system to access and execute an embedded program object, Doyle does not disclose the dual-MVC approach of the claimed invention. That is, among other deficiencies, Doyle does not disclose having a server maintain view-generating and controller logic, as in the claimed invention.

The Office Action relies on Doyle at column 6, lines 49-67, which states:

> The present invention provides a method for running embedded program objects in a computer network environment. The method includes the steps of providing at least one client workstation and one network server coupled to the network environment where the network environment is a distributed hypermedia environment; displaying, on the client workstation, a portion of a hypermedia document received over the network from the server, where the hypermedia document includes an embedded controllable application; and interactively controlling the embedded controllable application from the client workstation via communication sent over the distributed hypermedia environment.
>
> The present invention allows a user at a client computer connected to a network to locate, retrieve and manipulate objects in an interactive way. The invention not only allows the user to use a hypermedia format to locate and retrieve program objects, but also allows the user to interact with an application program located at a remote computer.

However, while Doyle discloses "controlling the embedded controllable application from the client workstation via communication sent over the distributed hypermedia environment," there is no disclosure about having the server maintain view-generating and controller logic, as in the

claimed invention. That is because Doyle neither teaches or suggests the dual-MVC approach of the claimed invention.

Accordingly, Applicants assert that independent claims 1, 13 and 25, as well as the claims which depend therefrom, are patentable over Doyle and therefore allowable. Such dependent claims also recite patentable subject matter in their own right.

Regarding the §103 rejections to claims 7, 11, 19 and 23, Applicants respectfully assert that such dependent claims are patentable over the Doyle/Dresel combination for at least the reasons given above with respect to independent claims 1 and 13. Dresel fails to remedy the deficiencies of Doyle. However, Applicants also assert that such dependent claims also recite patentable subject matter in their own right.

Further, there is a clear lack of motivation to combine Doyle and Dresel. Other than two very general and conclusory statements in the Office Action, there is nothing in the two references that reasonably suggests why one would actually combine the teachings of these two references.

The Federal Circuit has stated that when patentability turns on the question of obviousness, the obviousness determination "must be based on objective evidence of record" and that "this precedent has been reinforced in myriad decisions, and cannot be dispensed with." In re Lee, 277 F.3d 1338, 1343 (Fed. Cir. 2002). Moreover, the Federal Circuit has stated that "conclusory statements" by an examiner fail to adequately address the factual question of motivation, which is material to patentability and cannot be resolved "on subjective belief and unknown authority." Id. at 1343-1344.

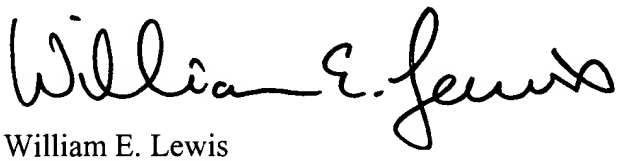
In the Office Action at page 5, with regard to claims 7 and 19, the Examiner provides the following statement to prove motivation to combine Doyle and Dresel, with emphasis supplied: "[i]t would have been obvious to one of ordinary skill in the art to modify Doyle by making at least one frame associated with the at least a subset of the model, the view-generating logic and the controller logic a hidden frame as per the teachings of Dresel so that data can be stored and modified and used for updating the visible frame." Further, in the Office Action at page 6, with regard to claims 11 and 23, the Examiner provides the following statement to prove motivation to combine Doyle and Dresel, with emphasis supplied: "[i]t would have been obvious to one of ordinary skill in the art to

modify Doyle by making the application programming interface in JavaScript as per the teachings of Dresel so that online applications and functions can be added to internet sites."

Applicants submit that these statements are based on the type of "subjective belief and unknown authority" that the Federal Circuit has indicated provides insufficient support for an obviousness rejection. More specifically, the Examiner fails to identify any objective evidence of record which supports the proposed combination.

In view of the above, Applicants believe that claims 1-25 are in condition for allowance, and respectfully request withdrawal of the §102(b) and §103(a) rejections.

Respectfully submitted,



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